

GWR

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,

Plaintiff,

v.

Jesus Armando LERMA-Castillo

Defendant

'08 MJ 1544 2008 MAY 19 AM 10:00

Magistrate Case No. _____

COMPLAINT FOR VIOLATION OF


**Title 8, U.S.C., Section 1324(a)(1)(A)(iv)-
Inducing and Encouraging Illegal Alien
To Enter the United States**

The undersigned complainant being duly sworn states:

Count I

On or about **May 15, 2008**, within the Southern District of California, defendant **Jesus Armando LERMA Castillo (Defendant)**, did encourage and induce an alien, namely **Maria JUAREZ-Ceron** with the intent to violate the immigration laws of the United States, to come to, enter and reside in the United States, knowing and in reckless disregard of the fact that such coming to, entry and residence in the United States is and will be in violation of law; in violation of Title 8, United States Code, Section 1324(a)(1)(A)(iv).

And the complainant states that this complaint is based on the attached statement of facts, which is incorporated herein by reference.


SIGNATURE OF COMPLAINANT
Claudia Rios, Customs and Border
Protection Enforcement Officer

SWORN TO BEFORE ME AND SUBSCRIBED IN MY PRESENCE, THIS 19th DAY OF
MAY, 2008.


UNITED STATES MAGISTRATE JUDGE

PROBABLE CAUSE STATEMENT

I, United States Customs and Border Protection (CBP) Enforcement Officer Michael J. Prado, declare under penalty of perjury the following to be true and correct:

The complaint states that **Maria JUAREZ-Ceron** is a citizen of a country other than the United States; that said alien admitted she is deportable; that her testimony is material, that it is impracticable to secure her attendance at the trial thereof by subpoena and that she is a material witness in relation to this criminal charge and should be held or admitted to bail as prescribed in Title 18, United States Code, Section 3144.

On May 15, 2008 at approximately 6:51 PM (PST), **Jesus Armando LERMA-Castillo (Defendant)** made application for admission into the United States from Mexico through the San Ysidro Port of Entry as the driver of a 1988 Buick Park Avenue. Defendant presented a Permanent Resident Card bearing the name of **Luis A. AYALA-Jaime** as proof of admissibility to a Customs and Border Protection (CBP) Officer. Accompanying Defendant was **Maria JUAREZ-Ceron**, who Defendant presented a Border Crossing Card on her behalf bearing the name of **Rocio VAZQUEZ de Alonso** as proof of admissibility. The CBP Officer obtained a negative Customs declaration from Defendant. The CBP Officer suspected both occupants to be imposters to the documents presented. The CBP Officer escorted the vehicle and all occupants to secondary for further investigation.

In secondary, it was determined that Defendant and **Maria JUAREZ-Ceron (Material Witness)** were imposters to the documents presented. Defendant and Material Witness admitted being citizens of Mexico with no entitlements to enter or reside in the United States.

During a videotaped proceeding, Defendant was advised of his Miranda Rights. Defendant acknowledged his rights and elected to answer questions without an attorney present. Defendant admitted knowledge to unlawfully smuggling the undocumented alien. Defendant admitted a man known to him as "Polin" provided him with the Permanent Resident Card and the vehicle used in the smuggling act. Defendant also admitted "Polin" provided him with a Border Crossing Card for the Material Witness to utilize as an entry documents. Defendant stated he was going to San Diego, CA to drop the vehicle and Material Witness at a McDonalds. Defendant stated he was going to be paid \$300.00 for his smuggling service. Defendant admitted he was aware the Material Witness did not have any lawful documents to facilitate her entry. Defendant admitted the Permanent Resident Card did not belong to him. In addition, Defendant admitted the Border Crossing Card did not belong to the Material Witness.

During a separate videotaped interview with the Material Witness, she freely admitted to being a citizen of Mexico with no legal documents to enter or reside in the United States. Material Witness stated she was going to pay a smuggling fee of \$2,500.00 upon successfully crossing into the United States. Material Witness stated she was heading to Los Angeles, California and then move to Denver, Colorado to reunite with her family and continue with her job.

EXECUTED ON THIS 15th DAY OF May 2008 AT 3:00 PM


Michael J. Prado / CBP Enforcement Officer

On the basis of the facts presented in the Probable Cause Statement consisting of (1) page(s), I find probable cause to believe that the defendant named therein committed the offense on May 15, 2008 in violation of Title 8, United States Code, Section 1324.


MAGISTRATE JUDGE

5/17/08 12:05pm
DATE / TIME